

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 974 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE D.G.KARIA

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

1 : Yes

2 to 4 : No

MANJULABEN RASIKBHAI PANCHAL

Versus

MAYUDDIN NOORBHAI MANSURI

Appearance:

MR MTM HAKIM for Petitioners

SERVED BY DS for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE D.G.KARIA

Date of decision: 11/08/97

ORAL JUDGEMENT :

Heard.

2. The application is preferred seeking transfer of Motor Accident Claim Petition No.905 of 1993, from the Motor Accident Claim Tribunal, Kheda at Nadiad to that of Vadodara, under sec.24 of the Code of Civil Procedure.

3. The respondents though served had neither

appeared nor objected to transfer of the claim case. On the facts and in the circumstances of the case, particularly when parties are belonging to Vadodara, Motor Accident Claim Petition No.905 of 1993 deserves to be transferred to the Tribunal at Vadodara under sec. 166(2) of the Motor Vehicles Act read with Order 24 of the Code of Civil Procedure.

4. The petition succeeds and accordingly is allowed. Motor Accident Claim Petition No.905 of 1993 is hereby ordered to be transferred from Motor Accident Claim Tribunal, Kheda at Nadiad to that of Vadodara for its disposal on merits and in accordance with law. Rule is made absolute with no order as to costs.

-oOo-

karim*